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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,126	08/07/2003	Shun-Min Chen	7266	1570

7590 06/21/2005

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EXAMINER

SWENSON, BRIAN L

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/636,126

Applicant(s)

CHEN, SHUN-MIN

Examiner

Brian Swenson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/05</u> <u>01/04</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "The collapsing device for the stroller" in line 1. There is insufficient antecedent basis for this limitation in the claim. There is antecedent basis for a collapsing device for a carrier.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4 and claim 2 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,860,504 issued to Suga et al. in view of U.S. Patent No. 6,068,284 issued to Kakuda.

Suga et al. teaches in Figures 1-20 and respective portions of the specification of: a collapsing device for a carrier (see Figure 1), comprising: a shell (Figure 19) further comprising a first cover (Shown in Figure 19) and a second cover (Figure 1 shows second cover with first cover removed) which are connected with each other by a fixing

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element (see Figure 1 where four well-known holes are provided for receive a screw or other well-known fastener);

a button (44) accommodated and longitudinally sliding in the shell, having a pair of inclined slots (44b) perpendicularly penetrating a surface along which the button slides (Figures 1 and 2); and

a pairs of pins (42) respectively penetrating the inclined slots of the button, the pins respectively connected with a cable (40) for controlling a remote collapsing joint (Col. 6, lines 37-40);

wherein by longitudinally pressing the button into the shell, the pins are transversely moved (along slots 41) and simultaneously cooperate the cables in order to control the collapsing joint.

Suga et al. does not show each of the covers correspondingly having a pair of transverse grooves laterally arranged on respective inner surface to receive the ends of the pins.

Kakuda teaches in Figures 1-14D and respective portions of the specification of: placing two grooves (310, 312; 322,324 Figure 3B) in each of a first (360) and second (362) cover of shell of a release mechanism for restraining pins (330,332).

It would have been obvious to one having ordinary skill in the art at the time of invention to use Kakuda teaching for extending pins to be received within grooves on the covers of the shell in the invention taught by Suga et al. One would be motivated to extend the pins to be received in transverse channels on the shell in the same manner as the existing channels (41) to provide the advantage of restraining the ends of the

pins from vertical movement allowing for smooth operation by preventing binding in the release mechanism.

In regards to claims 2 and 4, Suga et al. shows the collapsing device further comprising a safety lock (47; Figure 2) pivotally connected onto an outer surface of the second cover, the safety lock comprising: a push portion (48), having an elastic element (Col. 6, line 66) between the push portion and an outer surface of the second cover so as to permit the push portion being repeatedly pressed relative to the second cover (see Col. 7, lines 1-15); and a projection being engaged into a slit (see opening shown in cross section at the intersection of elements 44a and 47 show in Figure 2 of Suga et al.) on an outer surface of the button by a restoration force of the elastic element.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,443,479 issued to Huang and U.S. Patent No. 6,478,328 issued to Yeh et al. teach of a locking mechanisms for a stroller including a push button (2031) that displaces cams (2021).

U.S. Patent No. 6,339,862 issued to Cheng teaches of a single-handed locking device.


U.S. Patent No. 5,979,928 issued to Kuo teaches of a push button to rotate cams as shown in Figure 2.

U.S. Patent No. 6,877,760 issued to Wang teaches of a locking release mechanism.

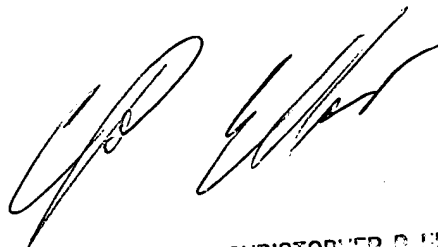
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Swenson whose telephone number is (571) 272-6699. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
bls

Brian Swenson  
Examiner  
Art Unit 3618



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